

REMARKS

Claims 1 and 5-8 are pending in this application. Independent claims 1, 5 and 7 have been amended.

In paragraph 2 of the Office Action, the specification was objected to as failed to provide proper antecedent basis for the claimed subject matter, as the term “generally flat” was not found in the specification.

The term “generally flat” has been deleted from the claims, and instead each of the zipper attachment strips is recited as being “devoid of an enclosing hem”. Basis for the absence of an enclosing hem is shown in Figs. 2-4 of the specification.

Applicant is unaware of any law or rule that requires the exact terms in the claims to be in the specification. However, via Examiner’s amendment, the Examiner is invited to insert the following sentence at the end of paragraph [0028] (see published application), “Each of the first attachment strip 22 and the second attachment strip 24 is devoid of an enclosing hem.”

Withdrawal of the objection to the specification is requested.

In paragraph 4 of the Office Action, claims 1, 5 and 6 were rejected as anticipated by U.S. Patent No. 3,234,564 (Chujfi).

Claim 1 is directed to an improved reversible zipper fly cover comprising a zipper having a first attachment strip opposite a second attachment strip. First and second panel zipper flaps are respectively connected to the first and second attachment strips by first and second attachment seams, *each of the first and second attachment strips being devoid of an enclosing hem*. First and second fly cover flaps are formed by respectively attaching the first and second panel zipper flaps to first and second panels by first and second fly cover finish seams.

Each of Chujfi's zipper attachment strips is enclosed by a respective hem 40 (Fig. 3, column 3 lines 1-8). Enclosing the attachment strips in the hem produces a tailored appearance, which Chujfi apparently desired.

However, Chujfi's hem creates at least one additional layer of fabric for each side of the reversible zipper assembly as compared to the claimed invention. If the fabric lacks an edge that will ravel, such as leather, then the hem is one additional layer. If the fabric is woven or otherwise has an edge that will ravel, then the hem's lengthwise edge must be turned under, creating two additional layers of fabric, one for the hem and one for the turned-under edge, relative to the claimed invention. Chujfi's additional layers of hem fabric, at least one on each side of the reversible zipper assembly, make a garment bulkier, thus interfering with draping and making the garment more awkward to wear, as compared with a garment according to the claimed invention.

Claim 5 is a method claim generally corresponding to claim 1, and is not made obvious by Chujfi for the reasons described above. Claim 6 depends from claim 5, and so incorporates its features that patentably distinguish from Chujfi.

Withdrawal of the rejection of claims 1, 5 and 6 under 35 USC 102 is requested.

In paragraph 7 of the Office Action, claims 7 and 8 were rejected under 35 USC 103 as being unpatentable over Chujfi and GB Patent No. 2,153,656 (Vaghela).

Claim 7 is directed to a reversible garment with a reversible fly, comprising first and second panel zipper flaps respectively attached to first and second panels of the reversible garment, the second panel zipper flap having the same shape as the first panel zipper flap. A zipper having a reversible traveler guide is located between the first and second panel zipper flaps, the zipper having first and second attachment strips respectively affixed to the first and

second panel zipper flaps by first and second attachment seams, each of the first and second attachment strips being devoid of an enclosing hem.

Vaghela was cited as showing a zipper with a reversible traveler guide. The proper combination of Chujfi and Vaghela is to replace Chujfi's two zipper traveler guides with Vaghela's one reversible traveler guide, which, while an improvement that reduces bulk, does not eliminate the bulk due to the additional layers of Chujfi's enclosing hems. Accordingly, claim 7 is patentably distinguished from any proper combination of Chujfi and Vaghela.

Claim 8 depends from claim 7, and so incorporates its features that patentably distinguish from Chujfi.

Withdrawal of the rejection of claims 7-8 under 35 USC 103 is requested.

In paragraph 7 of the Office Action, the Examiner stated that the term "generally flat" was not discussed in the specification and even if shown by the drawings, its criticality was not originally disclosed.

As mentioned above, the term "generally flat" has been deleted and instead the claims recite that each of the zipper attachment strips is "devoid of an enclosing hem". This feature is shown in the drawings.

There is no law or regulation requiring that patent applications separately indicate in the specification that certain features are critical to an invention. If the Examiner believes otherwise, applicant requests that the Examiner identify the specific authority on which the Examiner relies for this proposition.

Please call the undersigned if there are any questions. A Notice of Allowance is solicited.

Respectfully submitted,

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